**The Automation in the Pilot Courts**


**Introduction**

The DPK Consulting Rule of Law Project-West Bank and Gaza, is the result of an agreement between the Palestinian Authority and the donor agency, USAID. The project goals include developing the Palestinian Judiciary, particularly in the areas of case management systems and the effectiveness of the judicial services. An agreement with the Supreme Judicial Council (SJC) was reached, and four pilot courts were selected to serve as test models in the development process. The courts are: Gaza First Instance and Conciliation Courts, Ramallah First Instance Court, and Jenin Conciliation Court.

The main objective of the automation process is to facilitate the work of the courts' employees, judges, lawyers, and public. Automation of the existing manual processes is expected to speed the process of adjudication and shorten the time to disposal. The Palestinian courts depend on the manual work and the paper in all their tasks and work. This makes it difficult in follow the processes and procedures employed by the courts. Therefore, it is difficult to control case flow and its management. DPK started the automation of the work in the four Pilot courts to establish an efficient, accurate, secure and accessible information and case management system. The automated system was developed to make it easy to retrieve any data or document and to overcome the hardships associated with the manual system

DPK developed a two-phase plan to automate the pilot courts and their departments. DPK contracted a local programming company, that carried out its work under the close supervision and assistance of DPK's technical, legal, and administrative staff. After providing the Pilot courts with the needed equipment, the automated systems were installed, tested, and checked. Prior to the actual data entry, court staff were provided with full training on the use and operation of the systems.

After seeing the end results of the automation, representatives of the Palestinian Judiciary expressed their satisfaction with the results. The Supreme Judicial Council and the Pilot courts' staff contributed in a significant way towards the final product.

This report illustrates the stages followed in the automation process.

**The operation systems in the Palestinian Courts is in urgent need for Automation**

The Palestinian courts employ various manual systems that create a number of obstacles; therefore, there is a need for development.

1. **Systems in the Pilot Courts before Automation:**

The case management system used at Ramallah court is subject to the procedural provisions of the law and the views and practices that were developed by the court's employees.

The courts in Palestine depend on the paper and manual systems. This was true regarding the Pilot courts before the use of the automated system in the courts. The following points help describe the situation that existed:

A. The courts depended on different paper registers to record the types of cases. The manual system made it difficult to access and retrieve the various types of information. In addition, there was the possibility that such information and files would be destroyed or lost.

B. The minutes of the hearing sessions were taken manually. This caused unnecessary delays for the parties in acquiring copies of the minutes.

C. Notifications and correspondence were produced manually on handwritten forms. This, also, lead to undue delay and the absence of accurate statistics.

D. It was difficult for the courts to produce reliable statistical reports. These are important for planning, evaluation and decision-making. The only report was the production of a monthly report that included the work schedule of the court, Prosecution Department, and Execution Department. The report included the number of the pending cases in each court/department for the past month. It also included the number of new cases, and disposed cases.

E. It was difficult to search the information of any case or Notary document. This made it difficult to follow-up on the status of the case and more difficult to control and manage the case.

F. It was time consuming to search and retrieve the documents at the Notary Public's Office. This made the documentation process very time consuming.

G. The process of getting any copy of any document notarized by the Notary Public was unnecessarily time consuming for both the Notary Public and the public in general. With the manual system it could take days to locate what was needed. After locating the document a photocopy had to be produced using a machine outside the court.

H. The manual paper system was difficult to learn and lead to many discrepancies in the way business was done.

### 2. The necessity for automating the manual systems used at the courts:

The Rule of Law Project aimed at developing case management systems and new notary public documentation services in order to make these systems more efficient, easier to use, and reliable. The following is a summary of the project objectives:

A. Filing and storing court related documents (case files, hearing minutes, judgments, notarized documents, etc) to preserve case integrity.

B. The production of an automated work calendar for the court, its judges and panels.

C. Retrieval of necessary notarized documents in an easy, timely way.
D. Production of accurate, reliable reports and statistics concerning the various types of information related to the work of the various departments.
E. Reproduction of the court registers, case files including the various documents, hearing minutes, and notary documents in an efficient manner.
F. Facilitation of the processing of judicial duties, such as issuing notifications, correspondence and forms, in addition to the automated calendar.

It has been the philosophy of the Rule of Law project that automation of the systems at the courts would enhance the quality of services provided by the courts in addition to the reducing litigation time.

**Rule of Law Project plan for automating the Pilot Courts**

DPK 's plan for automating the work in the Pilot courts depended on the following factors:

    **1. The applicable laws and the procedures followed by the courts:**
The case management system is subject to the applicable laws, particularly the Procedures Laws. In addition there are numerous administrative procedures that result from the judges and the employees traditional practice. DPK took into consideration both the applicable laws and accepted procedures.

The Rule of Law Project legal team produced a manual that clarifies and explains the mechanisms and the case proceedings that are related to civil cases. In addition two other reports were developed concerning the procedures at both the Notary Public and the Judgments' Execution Departments. These documents were reviewed and discussed with the judges and the staff in the pilot courts. The team also discussed the mechanisms and procedures involved in criminal cases. The team took into consideration the differences between the applicable laws and the adopted procedures in both the West Bank and Gaza along with the unification of the procedural laws. DPK worked closely with the SJC in order to unify the notification forms used by the courts in West Bank and Gaza. To achieve this DPK prepared unified forms that were adopted by the SJC and incorporated into the automated civil case managements system (Al-Meezan).

    **2. The groups targeted by automation (end users):**

  **-** Chief Judges of the Pilot courts and the Supreme Judicial Council members:
These needed all information regarding caseload and statistics for planning and evaluation purposes.

  **-** The Judges
Judges needed to check the status of their docket and all the related information concerning the cases they are adjudicating.

**-** Chief Clerks

Chief Clerks need to access all the information related to case files and notes. They also need a tracking system that allows them to track cases, notes and other court generated documents. Ideally, the system should allow them to oversee the work process at the court and provide them with reliable statistics in allocating work among the staff.

**-** The Judgment Execution Department Chiefs and Officers

These officials need easy access to files in their department in order to be aware of status and to produce the required notification. They also need to be able to obtain reliable statistics for planning.

**-** Notary Public

The Notary Public needs a retrieval system that allows him to retrieve the notarized documents as quickly as possible and to have access to reliable statistics concerning the work of the office.

**-** Court clerks and minutes reporters

They need the system to register cases efficiently and to write the minutes correctly. They also need the system to speed the information retrieval process and to prepare judicial papers and documents.

**-** The lawyers and the public

They are entitled to the correct information regarding cases and to be able to get copies of the documents they need in an efficient manner.

### 3. The active participation of the targeted group (judges, clerks, lawyers…. etc) in the automation process:

DPK took into consideration the importance of the active participation of the end users of the automated system in the automation process. Project staff kept the SJC informed of project progress from initial stages. There were numerous meetings and discussions during the system's development. This resulted in the incorporation of all relevant remarks and suggestions. The active involvement and participation included the judges and the clerk in the courts through countless meetings and visits to the courts. The lawyers were also asked for their views and remarks.

### 4. Using the phased approach in automating the courts:

Due to the lack of automation in the Palestinian courts and the lack of computer skills on the part of the court employees, the automation process incorporated a phased approach.

The first phase of civil cases:
The Al-Meezan program was designed to include the filing of civil cases. It included the automation of the manual case register with all information and the different stages of the case. This facilitated the process of registering and retrieving the related case information

and proceedings. The program also included the judges' calendar, the statistical reports concerning pending caseload and closed cases. The program can be a factor in solving the notification problem through the automatic reminders generated for the employees. Finally, the program plays a vital role in unifying the procedures and forms in the different courts.

The success of the first phase of this program and the achievement of its intended results helped in developing the second phase of the automation process.

The second phase of civil cases:
A.  The other component of Al-Meezan was the automation of the hearing minutes. This phase allowed the minutes and the court judgments to be added to the information that already existed in the database. The second phase provided the ability to apply scanning technology where the case file and the document can be scanned in order to generate a complete electronic file. Such a development will allow the lawyers and the parties to review the information related to their cases.

B.  For the automation of the Notary Public Department, a program for filing and saving documents was developed. The program recorded all the information related to the notarized documents in addition to a scanned copy of the document. The program can also identify documents that should not be notarized or inquired about. Reports regarding notarized documents can be generated efficiently.

C.  Automation of the Judgment Execution Department required the development of a program to automate the procedures concerning the execution cases. The program registers information related to the execution case and keeps an electronic copy of the file and the hearings' minutes. The program also provides for the automatic generation of notification documents, correspondence, reports and calendars related to the department's activities.

The third phase: criminal cases.
This phase was realized by the development of an automated program to file and manage the criminal cases in the courts. The program makes it easier to register cases and retrieves information. The program includes the capability to generate the judges' calendars and the various statistical reports automatically. This program has the same features of the civil case automation program (Al Meezan) and provides the same benefits.

## 5.  The Technical specifications of the Automated software

The technical specifications of the automated programs are as follows:
- Arabic language in the interface and other parts of the program.
- Must have advanced and comprehensive search capacity
- The capability to provide fixed reports in addition to producing various new reports desired by the end user
- The production of statistical and diagrammatic reports

- The production of previously-prepared forms for correspondence
- User friendly programs
- Must use identification for the data, and never use fixed values in the programs.
- The programs must provide various levels of accessibility to the different groups of users.
- The program must include a detailed transaction table.
- The program must have a log file.
- The use of "drop" lists that would minimize the use of the user's memory.
- All the important documents should be scanned and saved in the database with an attached summary after being compressed
- The program must be delivered "bug free".
- The program has to be designed in a module format that can be adjusted and expanded in the future.
- There must be no use for any protection systems at any part of the program.
- The database should be dealt with within the program in a centralized way.
- Windows xp/2000 should be the operating systems of the program.
- Database must be Microsoft SQL 2000 Desktop Edition
- The program is to operate with the client/ server mechanism.
- Must use Microsoft Visual Basic 6.0 with ADO/OLEDB in creating the program
- Must incorporate Crystal Reports 8.5 Enterprise Edition in creating the reports
- Must use Robo Help 9.2 to create the help files
- Develop all the documentation for the created programs according to the following:
  - User Manual
  - Technical Manual
  - Troubleshooting Manual
  - Online Help

### 6. Contracting an IT consultant for analyzing and designing the programs:

DPK contracted with an IT technical consultant in order to analyze and design the systems and to identify the technical specifications and conditions for the software. In addition, the consultant provided the supervision needed for installing and operating the software. He also provided a detailed report on the hardware that was necessary to operate the system.

**The Implementation**

Each step of automation was implemented as follows: selection of the contractor through tendering, providing the programming company with the needed specifications and data for developing the programs, supervising the development process, equipment installation, Installation and operation of the software, review for programming errors and faults in order to correct them, submission and handing over the programs, provision of software training and data entry.

1. **Selecting the programming company through tendering**

The selection of the programming company was done through the tender process. DPK staff conducted a meeting with all the participating companies in order to explain the tender and its conditions, clarify the technical specifications of the programs, and to answer any inquiries the participants might have. During the meeting, DPK distributed the tender documentation. After analyzing the proposals submitted by the five participating companies, Jaffa.Net won the bid.

2. **Providing the programming company with the needed specifications and data that are necessary for the programs' development:**

For the purpose of providing all the needed specifications and conditions, DPK provided the programming company with a manual that included a detailed description of the work proceedings  (flow chart), and procedures used in civil cases. In addition, two other manuals concerning the work proceedings in both the Notary Public and Judgment Execution Departments (prepared by DPK's legal team) were reviewed with the judges and staff of the Pilot courts. DPK provided the programming company with a manual that includes all the necessary elements of the proposed programs. DPK and the programming company staff made numerous visits to the pilot courts and held many discussions to make sure that the software would be applicable. DPK also used its staff in Gaza to gather the necessary information from the Gaza Pilot courts.

3. **Supervising the programming process:**

DPK Consulting supervised the work of the programming company throughout the different stages of developing the programs to make sure that the work was done in accordance with the terms and conditions of the contract. During the development phase, the programming company (Jaffa.Net) kept DPK and its technical consultant informed concerning the program development process on regular basis. Jaffa.Net received the feedback regarding the necessary and requested changes. In accordance with the contract's terms, the programming company acquired DPK's approval on every step of the programming process including the screens' design phase, and the reports and forms design phase. It also received DPK's consent before using any programming tool it deployed in the development of the programs.

4. **Installing the equipments:**

During the program development period, DPK provided each pilot court and its departments with the necessary tools and equipment for installing and operating the four software programs (see the annex). The judges and the clerks' offices were provided with the requisite number of computers, printers, and scanners. The same was done for the Notary Public and Judgment Execution Departments. DPK made sure that the equipment would be compatible with the programs being developed. (See the annex concerning the equipment specifications). The installation of the equipment was carried out by DPK.

5. **The installation of the programs and its operation:**

The programming company installed the software in the Pilot courts and operated it with the assistance of DPK staff. Each court required different data, such as the names of the

judges, panels, clerks, notifiers, and users. The computer access was specified for each user in the court in accordance with an agreement made between DPK staff and the Supreme Judicial Council. The process prevented certain users from accessing certain proscribed windows.

### 6. Checking and correcting the programming errors

In reference to the terms and conditions of the contract, the programming company (checked, followed up, corrected and, solved internal programming errors that were found during the training and trial period. DPK technical and legal staff reviewed the programs assure their effectiveness and fulfillment of specifications. The staff members operating the software provided most of the feedback. The checking process was performed through the following stages: programming, program operations, providing the needed training, and data entry.

### 7. The handing over the programs:

DPK received the software on CDs in a timely manner. This included the passwords, related programs that were used in creating the software, and a list that includes all the programming tools, the version and number, the date of issuance, and the address of the producing company. A final check was performed to make sure that the programs were compatible with the terms and conditions of the contract.

### 8. Training:

As there had not been any automation in the Palestinian courts, and the staff, by and large, was inexperienced, the training process was tailored and included the following:

1. Basic computer training: this training was given to judges and staff in the Pilot courts, by specialized training centers that were chosen by DPK.
2. Typing training: this training was provided for courts' employees to enhance their keyboard skills.
3. Training on the operation of the automated programs: this type of training was given to judges and pilot court staff according to the area of duty. Each software package was delivered separately. Training was done in two stages: a group training that included a general introduction to the software, its use, and applications and, a one-on-one training for each employee that included data entry under staff supervision.
4. Computer maintenance training course: maintenance training was provided to selected courts' employees. This aimed at providing the courts with a number of employees who have the capability of dealing with the physical aspects of the computers, and their repair.
5. SQL Server training course: this training was provided to selected employees, to give the courts the capacity to deal with some of the servers' problems.

### 9. Data Entry:

After training, data entry commenced. DPK staff supervised the procedure to assure quality control. The data was verified.

### 10. Program maintenance:

For the purpose of ensuring the efficient work of the programs, the programming company - in compliance with the terms and conditions of the contract- will provide maintenance related to the programs for the period of two years.

**The pilot courts' after automation and users' satisfaction:**

**1.      The situation after the automation:**

The pilot courts, including all their departments became fully dependant on the automated systems to carry out their duties.

The situation can be described as follows:
A. The pilot courts have an automated register for each case type, as does the Notary Public Department. Such automated registers make it easy to retrieve files and information in addition to the protection of the files and documents themselves.
B. The automation of the hearing sessions minutes made it easer for the parties to have copies of the minutes in a timely manner. The minutes are easier to read than the handwriting that was used before.
C. The courts' work schedule in addition to the judges' calendars have been automated.
D. The software provides for electronic production of printed forms, notification and correspondence. This leads to efficient filing and storage of the production of statistical reports and tracking of documents.
E. It is now possible to produce accurate statistical reports in an efficient manner. These reports serve as a tool for future planning and development.
F. Document searches are easy and efficient. The stage of litigation in a case is readily available. This makes caseload management an easier task.
G. Notarized documents searches are also easier. Obtaining a copy of document had been a difficult task that could take days. After automation the task can be done in a matter of minutes.
H. Obtaining document copies of documents is more efficient due to automation.
I. The automated system in the pilot courts makes it easer for new employees to learn and master the job. Automation also serves to unify the work practices of the positions and between the courts.

As a result of the automation project, the work of the employees, the judges, lawyers, and public has been made easier and more efficient. It also helped in controlling the case management process.

2.      **Users' satisfaction:**
        During training and data entry, the employees and judges expressed their satisfaction with the system. They were able to spot the advantages associated with the automation whether in the area of minutes taking or in information retrieval, notification, forms, and report production. Such appreciation was clearly apparent in the letter sent by the Head of the SJC and the pilot courts to DPK.

**Recommendations to the Supreme Judicial Council**

DPK completed its part of the automation in the pilot courts by installing the software, training the users and supervising the process of data entry. Many steps have to be taken in order to make this automation process a successful one. These steps are:

1. The establishment of an Information Technology Unit to supervise the operation of the automated programs and the equipment in the pilot courts.
2. Appointment of additional employees in the pilot courts according the needs of the courts in order to operate the automated systems efficiently.
3. Issuance of an administrative order to all pilot courts ordering them to use all the automated programs to maximum capacity.
4. The adoption of the reports and statistics the automated systems provide as the official reports submitted to the JEC.